

# UNITED STATES DISTRICT COURT

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

for

Eastern District of Washington

**Nov 13, 2018**

SEAN F. McAVOY, CLERK

U.S.A. vs.

Boak, Tristen J.

Docket No.

2:18CR00115-TOR-6

## **Petition for Action on Conditions of Pretrial Release**

COMES NOW Erik Carlson, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Tristen J. Boak, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge John T. Rodgers sitting in the Court at Spokane, Washington, on the 13th day of July 2018, under the following conditions:

**Standard Condition #9:** Defendant shall refrain from the use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licenced medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

**Additional Condition #27:** Prohibited Substance Testing: If random urinalysis testing is not done through a treatment program, random urinalysis testing shall be conducted through Pretrial Services, and shall not exceed six (6) times per month. Defendant shall submit to any method of testing required by the Pretrial Service Office for determining whether the Defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. Defendant shall refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of prohibited substance testing.

## **RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

**Violation #1:** Tristen J. Boak is alleged to have ingested methamphetamine on a near daily basis between August 3, and October 25, 2018.

On July 19, 2018, the conditions of pretrial release supervision were reviewed with Ms. Boak. She acknowledged an understanding of her conditions, which included, standard condition number 9.

On October 25, 2018, Ms. Boak reported to the U.S. Probation Office and met with the undersigned officer. During this meeting, the undersigned officer requested Ms. Boak provide a urine sample for the purposes of drug testing. Ms. Boak was unable to provide a urine sample.

However, Ms. Boak admitted that she had been ingesting methamphetamine on a near daily basis between August 3, and October 25, 2018. Her last admitted use of methamphetamine was on October 25, 2018.

Subsequently, Ms. Boak signed a substance abuse admission form acknowledging her use of methamphetamine.

**Violation #2:** Tristen J. Boak is alleged to have ingested methamphetamine on 3 separate days between October 31, and November 3, 2018. Ms. Boak is also alleged to have ingested heroin on 3 separate days between October 31, and November 8, 2018.

On July 19, 2018, the conditions of pretrial release supervision were reviewed with Ms. Boak. She acknowledged an understanding of her conditions, which included, standard condition number 9.

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On November 9, 2018, Ms. Boak reported to the U.S. Probation Office and met with the undersigned officer. During this meeting, the undersigned officer requested Ms. Boak provide a urine sample for the purposes of drug testing. Ms. Boak was unable to provide a urine sample.

However, Ms. Boak admitted that between October 31, and November 5, 2018, she ingested methamphetamine on 3 separate days. Her last use of methamphetamine was on November 5, 2018.

In addition, Ms. Boak admitted that between October 31, and November 8, 2018, she ingested heroin on 3 separate days. Her last admitted use of heroin was on November 8, 2018.

Subsequently, Ms. Boak signed a substance abuse admission form acknowledging her use of methamphetamine and heroin during the above-noted time frames.

**Violation #3:** Tristen J. Boak is alleged to have failed to submit to random drug testing on the following dates: September 17, October 30, and November 5, 2018.

On July 19, 2018, the conditions of pretrial release supervision were reviewed with Ms. Boak. She acknowledged an understanding of her conditions, which included, additional condition #27.

On September 17, 2018, Ms. Boak reported to the U.S. Probation Office and met with the undersigned officer. During that meeting, the undersigned officer requested Ms. Boak provide a urine sample for the purposes of drug testing. Ms. Boak stated she was experiencing intestinal issues and could not provide a urine sample at that time. Subsequently, the undersigned officer instructed Ms. Boak to report to the U.S. Probation Office on September 18, 2018, and submit to drug testing. It should be noted Ms. Boak did not provide a urine sample of September 18, 2018, as she was hospitalized, which was confirmed by her father, who is the third party custodian in the instant federal matter.

Due to her admitted drug use as noted in violation number 1, on October 25, 2018, Ms. Boak was referred to the phase urinalysis testing program at Pioneer Human Services (PHS). Ms. Boak was instructed to call PHS on a daily basis to determine if she needed to provide a urine sample for the purposes of drug testing.

On October 30, 2018, Ms. Boak reported to PHS for a substance abuse assessment. On that date, Ms. Boak was required to submit to drug testing through the phase urinalysis testing program. Available records indicate Ms. Boak stalled and did not provide a urine sample on October 30, 2018.

On November 5, 2018, Ms. Boak failed to report to PHS for random urinalysis testing.

PRAYING THAT THE COURT WILL ORDER A SUMMONS

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I declare under the penalty of perjury  
that the foregoing is true and correct.

Executed on: November 13, 2018

by s/Erik Carlson

Erik B. Carlson  
U.S. Pretrial Services Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



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Signature of Judicial Officer

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November 13, 2018

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Date